IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT No. 422 of 1987

Kanhayalal Laxmilal Jain .. Plaintiff

versus

The Peerless General Finance

Invest Co.Ltd. & Anr. .. Defendants

...

Mr.Banatwala for the plaintiff.

Mr.Subhash Pai i/b Pandit & Pandit for the defendant no.2.

CORAM : D.G. KARNIK, J

DATED : 16th June 2006.

P.C.:

1. Heard learned counsel for the plaintiff and defendant no.2. None present for the defendant no.1.

2. Suit is for recovery of money. The defendants have not filed the written statement though nearly 20 years have passed. Learned counsel for the plaintiff

does not press for any relief against defendant no.2. In the circumstances, suit of the plaintiff is decreed under Order 8 Rule 10 of the Code of Civil Procedure against defendant no.1 in terms of prayer clauses (a) and (c).

3. Suit against defendant no.2 disposed of for non prosecution.

(D.G. KARNIK, J)